

2010 AUG 26 AM 10: 22

Docket No.: 0020-5615PUS1
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Masaya TANAKA

Application No.: 10/519,941

Confirmation No.: 5052

Filed: December 29, 2004

Art Unit: 3771

For: CARBON DIOXIDE EXTERNAL
ADMINISTRATION DEVICE

Examiner:

REQUEST FOR REFUND

MS 16

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

I. **REFUND REQUEST**

This is a request for a refund with respect to the charge to Deposit Account No. 02-2448 shown on the statement for the month of August 2010 for the above-identified

- ☐ application ☐ patent
☒ A copy of the monthly statement is enclosed.

II. FEE CHARGED FOR WHICH REFUND REQUESTED

| | AMOUNT OF REFUND REQUESTED |
|--|----------------------------------|
| <input checked="" type="checkbox"/> Filing fee for Request for Continued Examination (RCE) | 405.00 |
| TOTAL REFUND REQUESTED | \$405.00 |

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Applicant's representative inadvertently paid the USPTO filing fee for Request for Continued Examination (RCE) as large entity on August 13, 2010 in connection with the above-identified application. Applicant established small entity status on October 6, 2008 in the USPTO.

IV. REFUND OF 50% OF FEES

- ☒ enclosing a copy of the written Assertion of Small Entity Status
- ☐ filed herewith
- ☒ filed on October 6, 2008.

V. MANNER OF REFUND

It is respectfully requested that the excess fee of \$405.00 be credited to Deposit Account No. 02-2448.

VI. REMARKS

Pursuant to 37 C.F.R. § 1.28(a), applicants hereby request a refund of 50% of the Filing Fee. Small entity status has been established by the filing of a written assertion/statement on October 6, 2008.

Small entity applicants may file the necessary Statement within three (3) months of the date of payment of any particular fee and request a refund. The present application qualifies for the reduced fees as implemented by the U.S. Patent and Trademark Office on October 1, 1982, and further amended on January 20, 1983 and September 8, 2000.

Favorable action on the present Request is respectfully requested.

Dated: August 25, 2010

Respectfully submitted,

By 

Andrew D. Meikle

Registration No.: 32868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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Attachment

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**United States
Patent and
Trademark Office**

Name: BIRCH STEWART
KOLASCH & BIRCH

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Country: UNITED STATES

Telephone: 703-205-8090

Fax:

Balance Amount:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP
Aug 2010 Deposit Account Reconciliation**

| Date | Reference No. | Docket Number | PTO Fee Code | BSKE Cost Code | Fee |
|--------|---------------|---------------|--------------|----------------|----------|
| 18-Aug | 10519941 | 0020-5815PUS1 | 1801 | DF | \$810.00 |

Docket No.: 0020-5615PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masaya TANAKA

Application No.: 10/519,941

Confirmation No.: 5052

Filed: December 29, 2004

Art Unit: 1614

For: CARBON DIOXIDE EXTERNAL
ADMINISTRATION DEVICE

Examiner: C. T. Ostrup

ASSERTION OF SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

The above-identified application qualifies for small entity status. This written assertion of small entity status should satisfy the requirements of 37 C.F.R. § 1.27.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: Oct 6, 2008

Respectfully submitted,

By 
MTZ Andrew D. Melkle
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Attorney for Applicant

Electronic Patent Application Fee Transmittal

Application Number:

10519941

Filing Date:

29-Dec-2004

Adjustment date: 09/01/2010 SDIRETA1
08/16/2010 INTEFSW 00002856 022448 10519941
01 FC: 801 810.00 CR

Title of Invention:

Carbon dioxide external administration device

09/01/2010 SDIRETA1 00000002 022448 10519941
01 FC: 2801 405.00 DA

First Named Inventor/Applicant Name:

Masaya Tanaka

Filer:

Andrew Duff Meikle/Melody Odger

Attorney Docket Number:

0020-5615PUS1

Filed as Large Entity

U.S. National Stage under 35 USC 371 Filing Fees

Description

Fee Code

Quantity

Amount

Sub-Total in
USD(\$)

Basic Filing:

Pages:

Claims:

Miscellaneous-Filing:

Petition:

Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

Extension-of-Time:

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|-----------------------------------|----------|----------|--------|----------------------|
| Miscellaneous: | | | | |
| Request for continued examination | 1801 | 1 | 810 | 810 |
| Total in USD (\$) | | | | 810 |